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ELECTION COMMISSION, INDIA

NOTIFICATIONS

Indore, the 12th September 1952

No. 284—In pursuance of the provisions of sub-section (1) of section 90 of the Representation of the People Act, 1951 (XLIII of 1951), the following Election Petition presented under section 81 thereof is published for information.

AMAR NATH SEGAL, Chairman,
Election Tribunal, Indore,
(Madhya Bharat).

Presented to me this the twentieth day of May, 1952, by Shri Lachhiram the Petitioner.

(Sd.) P. S. SUBRAMANIAN, Secy.
Election Commission, India.

THE ELECTION COMMISSION OF INDIA, NEW DELHI.

ELECTION PETITION NO. 284 OF 1952.

Relating to the Election of the House of the People from Madhya Bharat State in Guna Constituency, Polling held on 3rd, 6th, 9th, 12th, 15th, 18th and 28th, January, 1952. Result published in *Gazette of India*, dated 14th February, 1952.

Lachhiram S/o Ratanmal Jain,

Bhilsa—(Petitioner).

Versus.

1. Vishnu Ghanshyam Deshpande of Mahkar Buldhana (Madhya Pradesh).
2. Dev Rao Krishna Rao Jadav Lashkar (Madhya Bharat).
3. Chandraji Rao Sambhaji Rao Angre of Lashkar (Madhya Bharat).
4. Dharma Saroop Saxena of Guna.
5. Gopi Krishna Vijaya Vargiya of Guna.

Petition under section 81 of the Representation of People Act.

The humble petition of the above named petitioner most respectfully sheweth:—

1. That your petitioner is an elector entered at No. 103 of Poorak Nirawachak Namavali of Kasva Bhilsa No. 277 Ward No. 3 in the Electoral Roll for Election to the Legislative Assembly of the State of Madhya Bharat relating to the House of the People from Madhya Bharat in Guna Constituency, held in the year 1951-52, and is entitled to present this petition.

2. That Respondent No. 1 is the successful candidate who fought the said Election on behalf of Hindu Mahasabha. The declaration of result Respondent No. 1 was made in the *Gazette of India*, dated 14th February 1952, and of the lodging of return of election expenses was made in the *Gazette of India*, dated 6th May, 1952.

3. That the Respondents Nos. 2 to 5 are all defeated candidates of the said Election.

Respondent No. 2 is the Zonal Director of Madhya Bharat Hindu Sabha Branch, but he declared himself as a independent candidate. Respondent No. 3 was an independent candidate. Respondent No. 4 was set up by Socialist party. Respondent No. 5 is the congress nominee.

4. That the votes obtained by each of the Respondents were as follows:—

No.	Name of candidate	Total votes polled
1.	Vishnu Ghanshyam Dashpande	... 56518
2.	Dev Raj Jadav	... 5214
3.	Chandraji Rao Sambha Ji Rao Angre	... 6985
4.	Dharma Saroop Saxena	... 6592
5.	Gopl Krishna Vijayavargiya	... 53549

5. The said Constituency comprised of Bhilsa and Guna Districts (barring Chachoda Tehsil) of Madhya Bharat. Nine Constituencies of Madhya Bharat Legislative Assembly were included in the said constituency. The polling dates of the house of peoples and Madhya Bharat Legislative Assembly were the same. The following candidates were set up by the Hindu Maha Sabha for the Constituencies of Madhya Bharat Legislative Assembly in the said constituency of House of peoples.

1. Brandaban Prasad Tiwari, Guna Constituency.
2. Brij Narayan Harnarayan Brajesh Pachhar Constituency.
3. Lachhiram Shiv Lal, Pachhar Constituency, Schedule caste seat.
4. Ram Swroop Sharma, Kurwai, Constituency.
5. Niranjan Verma, Basoda Constituency.
6. Jamna Prasad Mukhraiya Bhilsa Constituency.
7. Chaturbhuj Chmar Jatav, Bhilsa Constituency, Schedule caste seat.

Candidates of Respective parties organised their propoganda jointly for the seat of House of People and the Legislative Assembly and supported each other. The result was that the propoganda of each candidate of the same party effected the prospects of Election of both the candidates, i.e. candidate for the House of People and the candidate for the Madhya Bharat Legislative Assembly.

6. The candidates No. 1 and 2 were fighting the Election of Madhya Bharat Legislative Assembly in the said constituency of House of peoples on behalf of Ram Rajya Parishad and No. 3 & 4 on behalf of Congress party:—

1. Keshav Atmaram Shastri, Bhilsa Constituency.
2. Krishna Gopal, Basoda Constituency.
- 3 Ram Sahai, Bhilsa Constituency.
4. Sunnulal, Bhilsa Constituency (Schedule Caste seat).

7. The Respondents No. 1 belonging to the Hindu Mahasabha fought his Election mainly on the following programme.

1. Amendment of the Constitution of India, so as to make Bharat a truly Democratic Hindu State.
2. Opposition to the Hindu Code Bill.
3. Prevention of cow-slaughter chiefly on religious basis.
4. Protection of Religious traditions.

8. That the Respondent Nos. 2 and 3 and the candidate of the Ram Rajya Parishad followed more or less the same lines of appeal as Respondent No. 1. In addition to the above Ramrajya Parishad candidates were also propogating to establish a theocratic state in India which would be subject to the control of religion.

9. That your humble petitioner asserts that the Election of Respondent No. 1 is liable to be set aside on the following grounds:—

(1) That the Respondent No. 1 his agents, and other persons with the connivance of Respondent No. 1 and his agents, through speeches, several pamphlets and posters as shown in the list of particulars annexed herewith, there was a systematic appeal to Electors to vote for Respondent No. 1 in the name of Hindu religion, Hindu Jathee and mother cow as symbol of Hindu Religion with the effect that a large number of electors were led thereby to vote for Respondent No. 1. While many other Electors who would have voted for Respondent No. 5 refrained from voting and thus secured the majority in favour of Respondent No. 1.

(2) That the said respondent No 1 has himself and through his agents taken the assistance of a number of Government servants (Patils) to further the prospects of his election. The names of such servants and the particulars of assistance taken from them are set out in the list of particulars annexed herewith.

(3) Respondent No 1 their agents and other persons with the connivance of Respondent No. 1 and his agents issued several handbills and leaflets over the signatures of certain persons who did not subscribe their signatures to the said handbills and leaflets. Through these fraudulent means the Respondent No. 1 his agents and other persons with the connivance of Respondent No. 1 brought undue influence over the electors in furtherance of his election, to interfere with the free exercise of their electoral rights. The details are given in the list of particulars annexed herewith.

(4) That the Respondent No. 1 his agents and other persons with the connivance of Respondent No. 1 and his agents issued handbills and posters detailed in the list of particulars annexed herewith, which did not bear on the face of them the names and addresses of the printers and publishers. Thereby he has incurred a disqualification for membership by reason of their illegal practice.

(5) That the Respondent No 1 his agents and other persons with the connivance of the Respondent No 1 and their agents brought undue influence on the Electors to interfere with the free exercise of their electoral rights in furtherance of their election purposes, by publishing and distributing one handbill alleging that murderer Vijay Vargiya a candidate for the Parliament seat from the above area his colleagues and incapable congressmen have got congress tickets for election. This is the proper time for ending congress rule. If we miss this chance we shall incur divine displeasures.

The details and other particulars are set out in the list of annexure Marked "T".

(6) That the Return of Election expenses lodged by Respondent No. 1 is false in material particulars. Full details of which are set out in the list of particulars annexed herewith. The said respondent has thereby incurred a disqualification for membership.

(7) That the Respondent No. 1 his agents and other persons with the connivance of Respondent No. 1 distributed and explained handbills (details in list of particulars annexed herewith) to cast undue influence upon the Electors.

(8) That the Respondent No. 1 his agents and other persons with the connivance of Respondent No. 1 and his agents published and circulated a handbill entitled "SHAHIDON KI SWARGIY ATMAON KI IALKAR" and marked "T" containing false statement of fact alleging Vijaya Vargiya as murderer believing to be false or at any rate not believing it to be true regarding personal character and conduct of Respondent No. 5 which was reasonably calculated to effect the prospects of Respondent No. 5. The particulars are given in the annexure set out.

Besides above handbill Respondent No. 1 and his agents with the connivance of Respondent No 1 and his agents declared Respondent No. 5 as murderer in their slogans and speeches in all the public meetings held in connection with the canvassing for Respondent No. 1.

(9) In addition to the grounds set forth in para. 8 of the petition, your humble petitioner asserts that the Respondent No. 1 his agents and other persons with the connivance of Respondent No. 1 and his agents have published and explained several handbills relating mainly to the personal character and conduct of Shree Ram Sahla a candidate of the Madhya Bharat Legislative Assembly from Bhilsa Constituency containing false statements detailed in list of particulars annexed herewith. These statements were published believing them to be false or at any

rate, not believing to be true in furtherance of joint election campaign of Hindu Maha Sabha candidate of house of People and Legislative Assembly. These statements have also materially effected the prospects of election of Respondent No. 5. These statements contain some such facts which were meant and in effect did throw light on the personal character and conduct of Respondent No. 5. This part of these statements is also false and was known to be false or at any rate was not believed to be true.

(10) That Seth Ghasi Ram, President Hindu Sabha, Bhilsa and agent of Shree Jamna Prasad Mukhraiya, a few days before the polling of Pipaldhar Station, which took place on 15th January 52 at Pipaldhar temple stated before the public: "The Congress candidate had given five thousands of Rupees to Ramrajya Parishad candidate in order to divide Hindu Sabha votes". This was a false statement of fact and was made believing it to be false was personally calculated to prejudice the Election of Respondent No. 5. This statement relates to the personal character and conduct of Respondent No. 5.

(11) That even if your humble petitioner is not able to satisfy that the false statements mentioned in para. 9 of the petition are such on the basis of which election of Respondent No. 1 can be declared void. Your petitioner submits that on account of the facts mentioned in para. 9, Respondent No. 1 has incurred a disqualification and on the basis of that disqualification, his election is liable to be set aside.

(12) That your petitioner further asserts that but for the votes obtained by Respondent No. 1 by corrupt and illegal practices the Respondent No. 5 would have obtained majority of valid votes.

(13) That your petitioner has deposited as security, the sum of Rs. 1,000 the receipt of which is hereby enclosed.

Wherefore your humble petitioner prays that the Election of Respondent No. 1 be declared to be void and that Respondent No. 5 be declared to be have been duly elected.

सही लक्ष्मीराम

Verification

I, Lachhram son of Ratanmal Jain declare that the contents of paras. 1 to 10 of the above petition are true within my personal knowledge and information received and believed by me to be true. This verification is made and signed on 19th May 1952 at Bhilsa.

Enclosures—

1. List of particulars 15.
2. Receipt of deposit of security.

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LIST NO. 1.

Particulars of the Systematic appeal.

The leaflet named "JANAB KE HATKANDE AUR KARNAME" marked "F" was printed on 1st December 1951 at Nav Bharat Printing Press Bhilsa and was published and circulated by Shree Jamna Prasad Mukhraiya and Chaturbhuj Jatav, the Hindu Maha Sabha candidates of Bhilsa Constituency and besides others their agent Kanhiyalal Sharma on 3rd, 4th and 5th, 11th, 12th, 15th, 20th, 22nd, 28th and 31st December 1951 at Bhilsa Barro, Arbaria, Hirnai, Ambar Nateran, Peapalkheda, Shamshabad, Gulabganj and Bhilsa respectively and on 8th, 9th January, 1952 at Bhilsa and by their agent Bhagava Chand Sharma on 10th, 11th, 15th, 18th, 19th, 21st, 23rd, 24th, 25th, and 29th December 1951 at Bhilsa Seu, Nateran, Hirnai, Ambar, Gulabganj, Wardha, Satpura, Seu and Shamshabad respectively and on 8th and 9th January, 1952 at Bhilsa and by their agent Pooran Singh on 29th, 30th and 31st December 1951 at Shamshabad, Wardha and Satpura respectively

Systematic appeal: —

The public has full faith in Hindu Maha Sabha and Ghud Savar symbol etc....

There is only Hindu Sabha which can protect Nation, Religion, culture, Cow-slaughter and Dharm Nashak bills etc.....

The leaflets named "CONGRESS DALALON SE SAVDHAN & CONGRESS SE SAVDHAN" marked E and E1 and "M" were printed at Nav Bharat Printing Press Bhilsa and were published and circulated by Shree Jamna Prasad Mukhraiya and Chaturbhuj Jatav, the Hindu Sabha candidates of Bhilsa constituency and besides others their agent Kanhiyalal on 20th, 22nd, 28th, 31st, December 51 at Peepalkheda, Shamshabad, Gulabganj and Bhilsa respectively.

Particulars of systematic appeal of "E"

I fully hope that all the Hindus of the country will cast their votes to candidates of Hindu Sabha, the only institution to face Congress etc.....

The box of Hindu Sabha is of Ghud Savar symbol. Don't forget casting your votes in this box only for the protection of cow.

Particulars of systematic appeal of E1

Caste your vote in the Ghud Savar Chap. box of Hindu Sabha.

The leaflets named "HINDU SABHA NATERAN KA VIRAT AYOJAN" marked "C" was printed at Nav Bharat Printing Press Bhilsa on 5th December, 1951 and was published and circulated by Shree Jamna Prasad Mukhralya and Chaturbhuj Jatav, the Hindu Maha Sabha candidates of Bhilsa constituency, and besides others their agent Bhagaya Chand on 10th, 11th and 15th December, 1951 at Bhilsa Seu, and Nateran respectively and by Madanlal Sharma on 17th, 24th and 31st December at Bhilsa.

Particulars of systematic appeal of "C"

Caste your vote in the Ghud Savar Petli of Hindu-Sabha to protect religion caste and cow etc.....

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The handbills named "Harijan Ummedvar Chaturbhuj Chamar" "Yedi Ape Chalitan Han", "Hindu Sabha Ko Vote Dijiya" and "Hindu Sabha ko Vote Dojiya marked "N" "O" "Q" & "Q1" respectively were published and circulated by Shree Jamna Prasad Mukhralya and Chaturbhuj Jatav, the Hindu Maha Sabha Candidates of Bhilsa Constituency, and besides others their agent Kanaiyalal on 28th and 31st December, 1951 at Gulabgang and Bhilsa respectively and on 1st January, 1952 at Hirnal and by Pooran Singh on 29th, 30th and 31st December 1951, at Shamshabad, Wardha and satra respectively and at Pachhar, Guna, Basoda, Ragogarh and Mungawli constituencies by Brijnrayan Brijesh, Brandavan Prasad Tiwari, Neranjan Verma, Banwarlal and Malhotra the agents of Respondent No. 1. The handbills marked "N" and "O" were printed at Maharashtra Printing Press Lashkar and "Q" and "Q1" at Dharamrajya Press Delhi.

Particulars of systematic appeal of "N"

Addressing to Harijans to appeal to vote for Chaturbhuj Chamar:-

Harijans Brothers Don't forget Chaturbhuj Chamar who is born in Raidas Vansha.....

Tell everybody that we will elect member to Chamar Brothers Caste your each vote separately into the three Ghud Savar boxes of Hindu Maha Sabha etc.....

The Congress foisted upon you a Kori as your representative and wants to get elected the man of the same Kori caste again. If you fall in their trap again the sufferings and troubles will increase.

I specially appeal to Aharwar, Sakhabar, and Jatav brothers who are deceived more than others etc.....

If you are born in the Raidas Vansha and if you feel something for your caste put faith in your caste brothers and caste your vote only to the Chamar brother standing from the Hindu Sabha etc.....

When all caste brothers are suffering troubles why I alone feel happy caste fellow can realise the sufferings of the caste and get the sufferings removed etc.....

Three boxes of Hindu Maha Sabha would be kept, cautiously caste your votes in these boxes etc.....

Particulars of systematic appeal of "O"

Caste your vote to Chaturbhuj Chamar for Harijan seat and Dr. Jamna Prasad Mukhralya for Legislative Assembly etc.....

It is resolved with a view to honour Raidas Vansha at several Panchayat Meetings to elect Chaturbhuj Chamar from Harijan seat a Harijan candidate from Hindu Mahasabha because congress has taken no member of our caste in Bhilsa District.

In this District the population of Chamars is 4748 (four thousand seven hundred and forty eight) while the population of Koris is only 8607. Chaturbhuj being a member of our caste shall get our sufferings removed soon. There are 12½ sub castes amongst us. First of all we are Chamars and thereafter No. 1 Aharwar, 2. Sakhwar, 3. Dohar, 4. Narkhitia, 5. Jagra, 6. Jatav, 7. Rangers, 8. Lorha, 9. Bharendha, 10. Marwari, 11. Lahrhis, 12. Katia, 12½ Gulla.

If all of us vote in Ghud Savar Box he (Chaturbhuj) would be elected member If he is elected not only he but the whole caste will come in fame and we shall be in a position to declare proudly that the member of our caste is elected.

Particulars of systematic appeal of "Q" and Q1

Appeal to vote Hindu Sabha candidate.....Dr. Jamna Prasad Mukhralya and Chaturbhuj to protect Hindu Religion, culture and caste and to stop cow-slaughter and to establish Hindu Rajya and Religion and Religious conventions, etc.....

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सही लक्ष्यीराम

The leaflets named "CONGRESS SE SAVDHAN" & "HINDI RASHTRA KE STAPHNA KE HATU" MARKED "M" "S" respectively were printed at Nav Bharat Printing Press, Bhilsa on 1st, December 1951 and were published and circulated by Shree Jamna Prasad Mukhralya and Chaturbhuj Jatav the Hindu Sabha Candidates of Bhilsa constituency and besides others their agent Kanhaiyalal on 3rd, 4th, 11th, 12th, 15th, 20th, 22nd, 28th. and 31st December, 1951 at Bhilsa. Baroo, Arvaria, Hirnal, Ambar, Nateran, Peepalkheda, Shamshabad, Gulabganj and Bhilsa respectively and by Bhagaya Chand Sharma on 10th, 11th, 15th, 18th, 19th, 21st, 24th, 25th and 29th December 1951 at Bhilsa Seu. Nateran, Hirnal, Ambar, Gulabganj, Wardha, Satpara, Seu. and Shamshabad respectively.

These leaflets were also distributed in the constituencies of Pachhar, Guna Basoda, Raghogarh, Mungawali on and before the polling dates at all the polling stations of the above Constituencies by Brijnarayan Brajesh, Brandawan Prasad Tewari, Niranjan Verma Banwarlal and Malhotra respectively, the agents of Respondents No. 1.

Particulars of systematic appeal of "M"

Congress is went upon, spoiling the Hindu caste whatever the Hindu Sabha did to make the congress etc.....

The election symbol of Hindu Maha Sabha is Ghud Savar. The Hindu Sabha is the only body to protect the real Sanatan Dharam, therefore for protection of caste, Religion and country make Hindu Sabha Victorious in election etc.....

Particulars of systematic appeal of "S"

Caste vote in box of Ghud Savar.

ग्रन्मता कि जय हो. हिंदू धर्म कि जय हो. Even today our Ram, Shiv and Krishna's temples and Beeja Mandir have been turned to mosques, etc.....

Hindu Sabha has come forward boldly in Madhya Bharat for election to protect cow mother and to safeguard the rights of the Hindus to undo unreligious laws etc.....

All Sanatanies, Aryasamajists, Jains, Sikhs, Vaishyas, Adivasis and Harijans should make Hindu Sabha successful to protect the country by casting vote in the Ghud Savar box etc.....

Hindu Sabha has promised to do the following works:—

To turn to temples Shiv Mandirs, Ayodhya Mandir, Kashi Mandir, Beeja Mandir, which are mosques.

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List of Government Servants (Patils) as per Annexures:—

"I"

"R"

1. Maharaja Singh, Patel of Badan-khedi.
2. Kailash Narayan, Patel of Andia.
3. Bhaiya Lal, Patel of Kariya.
4. Gulab Chand, Patel of Fatni.
5. Shyam Singh, Patel of Pattan
6. Shiv Prasad, Patel of Baroo.
7. Bulakhil Singh, Patel of Kham khedi,

1. Maharaja Singh Patel of Badan-khedi.
2. Gulab Chand, Patel of Patni.
3. Kailash Narayan, Patel of Andia.
4. Lal Singh, Patel of Ramgarh.
5. Shco Prasad, Patel of Baroo.
6. Shyam Singh, Patel of Paitan.
7. Bhaiyalal, Patel of Kariya.

8. Karan Singh, Patel of Mahota.
9. Bulakhi Singh, Patel of Khem-kheda.
10. Rewa Ram, Patel of Sojna.
11. Gobardhan Singh, Patel of Am-kheda Kalu.
12. Dalut Singh, Patel of Khari.
13. Shyam Lal, Patel of Seo.

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1. Narayan Singh, Patel of Padria.
2. Madho Singh, Patel of Amkhedi.
3. Mithoo Singh, Patel of Hinotia.
4. Bhikam Singh, Patel of Semra.

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1. Rajju Singh, Patel of Ramaria.
2. Ganga Ram Patel of Balot

3. Chhatar Singh, Patel of Talakhedi.
4. Kashi Ram, Patel of Mudrakhni.
5. Shyam Lal, Patel of Seo.
6. Gopal Singh, Patel of Piparidhadtion
7. Rajaram, Patel of Narkheda.
8. Daulat Singh, Patel of Kharl.

"K"

1. Gobhardhan Singh, Patel of Amkheda Kalu.
2. Amr Singh, Patel of Barakheda Maniya.
3. Shankar Singh, Patel of Ghadi.
4. Bhikam Singh, Patel of Jerrapur.
5. Nand Ram, Patel of Sakatpur.

सही लच्छीराम

The list of particulars of the handbills and leaflets over which the signature of certain persons has not been subscribed

These leaflets marked "I", "J" & "K" were printed in Nav Bharat Printing Press Bhilsa by Jamna Prasad Mukhraiyā and Chaturbhuj Jatav and were distributed by them and besides others their agents as below.

Annexure "J" was published and circulated by Mangal Singh on 14th, 15th, 18th and 20th, October 1951 at Kararia, Bhilsa, Peepalkheda and Nateran respectively.

Particulars of undue influence, as per Annexure "I"

To stop cow slaughter and come and defeat these congress sides in election etc.....

Particulars of undue influence as per Annexure "J"

To stop cow slaughter come and uproot these congress sides in Election etc

Particulars of undue influence as per Annexure "K"

By casting votes only into the boxes having Ghud Savar symbol protect cow mother etc

Annexure "K" was published and circulated by Bhag Chand on 23rd, 24th, 25th and 29th December 1951 at Wardha, Satpara, Scu and Shamshabad respectively and by Seth Ghans Ram at Wardha on 29th December 1951.

Particulars of undue influence of Annexure "C"

Caste your vote only in the Ghud Savar petti of Hindu Sabha to protect religious caste and cow etc.

The leaflet marked "R" was printed at Nav Bharat Printing Press, Bhilsa on 1st December 1951 and was published and circulated by Shree Niranjan Verma and Dr. Mukhraiya and besides others their agent Kanhaiya Lal on 3rd, 4th, 5th, 11th, 12th, 15th, 20th, 22nd, 28th, and 31st December, 1951 at Bhilsa, Burroo, Arbaria, Hirnai, Ambar, Nateran, Peepalkheda, Shamshabad, Gulabgang and Bhilsa respectively and by Bhagya Chand Sharma on 10th, 11th, 15th, 18th, 19th, 21st, 23rd, 24th, 25th, and 29th December, 1951 at Bhilsa, Seu, Nateran Hirnai, Ambar, Gulabganj, Wordha, Satpara, Seu, and Shamshabad respectively.

Particulars of undue influence of Annexure "R"

Caste your vote in your Ghud Savar Petli, vote for Dr. Mukhraiya and Chatur Bhuj Jatay.....

Particulars of undue influence of annexure "H"

Never vote for congress, ruining religion, caste and traditions etc.....

All our votes would be casted into the Ghud Savar box of our Chamar Brother standing from Hindu Maha Sabha etc.

Particulars of undue influence of Annexure "O"

Caste your vote in Ghud-savar boxes of three candidates standing from Hindu Maha Sabha etc.....

सही लक्ष्मीराम

Posters published and circulated without press heading

The following posters were published and circulated without headings:—

1. Chatur Bhuj Chamar Ki Ghud Savar Peti men boat dale.
2. Veer Saverkar ka Sandesh.

Both these posters were published and circulated by Respondent No. 1 and his agents in the whole constituency on and before the polling dates of constituencies of Pachhar, Guna, Basoda Raghogarh, Mungawali, Bhilsa and Basoda by Brij Narayan Brijesh, Brindaban Prasad Tiwari, Niranjan Verma, Banwarilal and Malhotra, Jamna Prashad Mukhraiya and Niranjan Verma respectively, the agents of Respondent No. 1.

सही लक्ष्मीराम

ANNEXURE "T"

Annexure marked "T" was published and circulated by Respondent No. 1 and besides others their agent Kanhiyalal Sharma at Bhilsa and Hirnai on 31st December and 1st January respectively and by Pooran Singh at Satpara on 31st December 1951 and in the constituencies of Pachhar, Guna, Basoda, Raghogarh, Mungawali on and before the polling dates and all the polling stations of the above constituencies by Brij Narayan, Brijesh, Brindaban Prasad Tiwari, Niranjan Verma, Banwarilal and Malhotra respectively, the agent of Respondent No. 1 alleging that murderer Vijaya Vargiya, a candidate for the Parliament seat from the above area. His colleagues and incapable congressmen have congress tickets for election. This is the proper time for ending congress rule. If we miss this chance we shall incur divine displeasure.

Particulars of false statement:—

Respondent No. 5 is alleged to be "MURDERER".

*Material defects of the return of Election Expenses**List of particulars.*

1. The expenditure on account of polling agents have not been shown in the said Returns of Election Expenses by Respondent No. 1. The names of such polling agents are as below:—

(1) Chhuttuji, (2) Radheshyam, (3) Rameshchand, (4) Shankarlal Pirohit, (5) Bhagyachand, (6) Parashram Tiwari, (7) Narsinghpal, (8) Bhaironsingh, (9) Nanoolal Hakim, (10) Antaram Nai, (11) Mahesh Prasad, (12) Jagannath Prasad Sharma, (13) Deendayal, (14) Nanoolal Kasere, (15) Beni Prasad, (16) Premnaryan Sharma, (17) Jagdeesh, (18) Shambhoo Dayal and (19) Devendra Kumar.

2. Full description of payees to indentify them are not given in the said Return of Election Expenses.

3. That the expenses of public meetings held on 2nd October, 1951 at Bhilsa 21st October, 1951 at Sankalkheda, 21st November, 1951 at Haldargarh, 15th December, 1951 at Nateran 28th December, 1951 at Shamshabad and 30th December, 1951 at Gram Wardha and at Guna Pachhar, Kurwai, Raghogarh and Mungawall have not been included in the Return of the Election Expenses. The Meetings were held for canvassing in favour of Respondent No. 1.

4. The expenses on account of Printing of certain posters and pamphlets distributed in Guna constituency have not been shown in the said Return of Election Expenses.

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*Annexure A***"KRISHNA GOPAL KA BHANDA PHOD"***List of particulars*

This leaflet was printed at Nav Bharat Printing Press, Bhilsa on 30th December 1951 and was published and circulated by Jamna Prasad Mukhraiya Chatur Bhuj Jatav and besides others their agent Kanhiya Lal Sharma at Bhilsa and Hirnai on 31st December 1951 and January 13, 1952 respectively and by Pooran Singh at Satpara on 31st December 1951.

The particulars of false statements:—

Congrasudes are helping with men and money to Pt. Krishna Gopal standing for election from Ramrajya Parishad to divide the Hindu Sabha votes etc.....

Pt. Krishna Gopal was seen having secret talks with Baboo Ramsahai Ji on 28th December 1951. Shri Takhat Mal Ji friend at Bhilsawala Ramsahai Ji's house etc.....

That the Congress sides have called forty, fifty congressmen from Bhopal to help Pt. Krishna Gopal in propaganda and that recently a motorcar has been given for propaganda etc.....

The public should be alert of Pt. Krishna Gopal who have been made to stand by congressmen for election under the garb of Ram Rajlya and behind the curtain of Sanatan Dharma etc.....

*Annexure B***"DOCTOR JAMNA PRASAD MUKHRAYA"***List of Particulars.*

This poster was published and circulated by Respondents, Jamna Prasad Mukhraiya and Chatur Bhuj Jatav of Bhilsa constituency besides others their agent Kanhiya Lal Sharma at Gulab Ganj, Bhilsa and Hirnai on 28th, 31st December 1951 and 1st January 1952 respectively and by agent Pooran Singh at Shamshabad, Wardha, and Satpara on 29th, 30th and 31st December 1951 respectively.

The particulars of false statements:—

The Ram Rajya Parishad's Hindu opponent Keshav Shastri Ji has stood becoming enemies of Hindus for the victory of Congress under the garb of Hindu Dharma etc.....

And is having caste Hindu etc..... At first Keshav Shastri had promised not to stand, now he is standing and wish to get Congress victorious. The public should be beware of this hypocrite etc..

The particulars of systematic appeal

Put your vote in Ghud Savar Peti. Protector of Hindu Religion and cow etc..... Therefore put your each vote in both Ghud Savar peties of Doctor Mukhraiya and Chatur Bhuj Jatava etc.....

मस्ती लक्ष्मीराम

*Annexures C and D***Hindu Sabha Nateran Ka Virat Ayojan RamRajya Parishad Bnam Congress**

Both these leaflets as per annexures C and D prin'ed at Nav Prabhat Press, Bhilsa on 8th and 9th December 1951 respectively. The annexure "C" was published and circulated by Jamna Prasad Mukhraiya and Chatur Bhuj Jatav and besides others their agent Bhagya Chand on 10th, 11th, and 15th December 1951 at Bhilsa, Seu and Nateran respectively and annexure "D" on 10th, 11th, 15th, 18th, 19th, 21st, 23rd, 24th, December 1951 at Bhilsa Seu, Nateran, Hirnai, Amber, Gulab Ganj, Wardha, Satpara, Seu, and Shamshabad respectively and by Madan Lal Sharma on 17th, 24th and 31st December 1951 at Bhilsa.

Particulars of false statements of Annexure "C"

The Congress has created a party named Ram Rajya Parishad spending thousands of rupees in order to divide the Hindu community etc..... This time failing to secure other person stood himself (Keshav Shastri) etc.....

Particulars of systematic appeal of Annexure C

Caste your vote only Ghud Savar Peti of Hindu Sabha to protect Religion and cow.

Particulars of false statement of Annexure D

Friends beware in these days Ram Rajya Parishad is doing its utmost in Bhilsa to enable Congress to come out victorious etc....

Keshav Sastri Ji asked to stand said "No" several times but the last moment denied and stood for Election etc.

सही लक्ष्मीराम

*Annexures E and E1***CONGRESSI DALON SE SAVDHAN & CONGRESS SE SAVDHAN***List of particulars*

Three leaflets were printed at Nab Bharat Printing Press, Bhilsa and were published and circulated by Respondent Jamna Prasad Mukhraliya and Chatur Bhuj Jatava of Bhilsa constituency and besides others their agent Kanhiyalai on 20th, 22nd, 28th, 31st December, 1951 at Pipalkeda, Shamshabad, Gulabganj and Bhilsa respectively.

The particulars of false statements of Annexure N. Certain congressmen had in collaboration with the Ram Rajya Parishad, Bhilsa published false statements in my name on the basis of a book.

Particulars of systematic Appeal

I fully hope that all the Hindus of the country will caste their votes to the candidates of Hindu Sabha, the institution to face Congress etc.....

The box of Hindu Sabha is of Ghud Savar symbol. Don't forget casting your votes in this box only for the protection of cow.

The particulars of systematic of annexure E1 Caste your vote in the Ghud Savar Chap box of Hindu Sabha.

सही लक्ष्मीराम

VERIFICATION:—

I Lachhi Ram S/O Ratanmal Jain declare that the contents of particulars of annexures 15 in number are correct on information received and believed by me to be true. This verification is made and signed on 19th May, 1952 at Bhilsa.

सही लक्ष्मीराम

New Delhi, the 16th September, 1952.

No. 19/142/52-Elec.III.—WHEREAS, the elections of the persons in column 1 of the Schedule to the Election Commission's notification No. 19/142/52-Elec III, dated the 28th July, 1952, as members of the House of the People from the constituencies specified in the corresponding entries in Column 3 thereof, have been called in question by election petitions duly presented under Part VI of the Representation of the People Act, 1951 (XLIII of 1951), by the persons whose names and addresses are given in the corresponding entries in column 2 of the said schedule;

AND WHEREAS, by the said notification the Election Commission has appointed Shri Kamala Sahal, District Judge, Bhagalpur, to be the Chairman of each of the Election Tribunal's constituted for the trial of the said petitions;

NOW, THEREFORE, in exercise of the powers conferred by section 88 of the said Act, the Election Commission hereby appoints:—

- (1) Shri Uma Kanta Prasad Sinha, Retired District Judge, Patna.
- (2) Shri Rajeshwari Prasad, Advocate, Jogsar, Bhagalpur.

as the other members of the said tribunals.

P. S. SUBRAMANIAN,
Officer on Special Duty.